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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,977	06/11/2001	Yann Desprez-Le Goarant	8516634201US	9898

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Seed Intellectual Property Law
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EXAMINER

DESIR, JEAN WICEL

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 09/24/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/787,977

Applicant(s)

DESPREZ-LE GOARANT ET AL.

Examiner

Jean W. Désir

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2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7. 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura et al (US 5,339,011) in view of Prior art Fig. 1 discussed in the instant application.

Claim 1:

Tamura discloses:

"a display driver current sensor", see Fig. 1 items 13R, 13G, 13B, col. 5 lines 15-19;

"a counter circuit and analog output circuit coupled to control the display driver", see Fig. 1 items: counter, D/A;

“ a speeding comparator having a plurality of comparator circuits coupled in parallel with the display driver current sensor as input, for determining and outputting a measure of the difference between the sensed display driver current and a predetermined value thereof”, see Fig. 1 item 17;

“and a speeding logic circuit coupled to the speeding comparator and counter circuit, and arranged to control the up/down counting rate of the counter circuit according to said measure of difference in display driver current”, see Fig. 1 items: 21, swing, see also item 40 of Fig. 4, col. 7 lines 5-16, col. 5 lines 30-56;

the difference between the claimed invention and Tamura's disclosure is that Tamura does not explicitly say that the comparator (item 17) has a plurality of comparator circuits coupled in parallel with the display driver current sensor as input. However, the structure of this claimed limitation is well known in the art, as evidence see the lower part of prior art Fig.1 which clearly shows a comparator that has a plurality of comparator circuits as claimed. Tamura in view of prior Fig. 1 would have rendered the claimed invention obvious; an artisan would be motivated to combine the references to arrive at the claimed invention, because this combination would provide a system that would automatically control the cutoff characteristics of the CRT. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Claim 2 is disclosed, see Fig. 4 of Tamura, wherein the speeding logic circuit (item 40) is arranged to control the counting rate of the counter circuit (item counters 31), and

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thus the display driver current, based on the output of the speeding comparator (item 17) so as to converge the display driver current to said predetermined value.

Claim 3 is disclosed, see Tamura at col. 12 lines 27-56.

Claim 4 is disclosed, see Fig. 1 of Tamura items 21, 20R-20B, 18R-18B, 12R-12B.

Claims 5, 6 are met by the above combination, the above combination provide a plurality of comparator circuits that have a plurality of outputs including a convergent output and at least one upper output and lower output, as claimed in claims 5-6, see the lower part of prior art Fig. 1.

Claim 7 is obvious to an artisan in view of the above combination, because Tamura and prior art Fig. 1 show that the Up/down counter and D/A circuit are both 8-bit circuits (see Tamura at Fig. 3, and prior art Fig. 1 items 8-bit up-down counter and 8-bit DAC) and Tamura clearly suggested that the adjustment of the black level of the video signal depends on the bit resolution (see Tamura at col. 9 lines 56-57); thus, an artisan would be motivated to replace the 8-bit circuits with 9-bit circuits in order to increase the resolution of the black level adjustment. Therefore, the claimed invention would have been obvious to a person of ordinary skill in the art at the time the invention was made.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jean W. Désir** whose telephone number is (703) 308-9571.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W. Miller**, can be reached at **(703) 305-4795**.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231


or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

JWD
Sep. 9, 03


MICHAEL H. LEE
PRIMARY EXAMINER